## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE UNDER 37 C.F.R. §1.10

EMARKS THE RESIDENCE OF THE PARTY OF THE PAR	
I hereby certify that the documents enclosed herein are being deposited with the United State	ès.
Postal Service on this 29 day of Sophing, 2004 in an envelope as "Express Mail Post Of	fice
to Addressee" Mailing Label Number EV114073204US addressed to: MAIL STOP RCE, Commission	oner
for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.	
Michelle Ludwig  Michelle Ludwig	. <b></b>

In re application of: Burns et al.

Description of: Examiner: Stuart F. Baum

Description of: Stuart

MAIL STOP RCE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

## TRANSMITTAL LETTER

Transmitted herewith are the following documents in the above-identified application.

- X Request for Continued Examination (RCE) Transmittal
- X Amendment and Remarks in Response to Office Action Mailed May 20, 2004
- X Petition for Extension of Time Under 37 CFR 1.136(a)
- X Fee Transmittal for Year 2004
- X If an extension or an additional extension of time is required, but is not enclosed, please consider this a conditional petition therefor and charge Deposit Account 13-4125 accordingly.
- X Please debit \$1,190.00 from Deposit Account 13-4125 for the fee required with this filing.
- X Please charge any deficiencies or credit any overpayment to Deposit Account 13-4125. A duplicate copy of this sheet is attached.

Respectfully submitted,

M. Todd Rands Reg. No. 46,249

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(Complete (if applicable))

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SUBMITTED BY

M. Todd Rands

Name (Print/Type)

Signature

PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0651-0032
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FEE	ETR	RAN	SMI	TTAL
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Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

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Co	omplete if Known
Application Number	09/683,548
Filing Date	January 16,2002
First Named Inventor	John Austin Burns
Examiner Name	Stuart F. Baum
Art Unit	1638
Attorney Docket No.	38-21(51450)B

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)					
Check Credit card Money Other None	3. A	DDITI	ONAI	L FEE	:S	
Deposit Account:	<u>Large</u>	Entity	Small	Entity	•	
Deposit Account 13-4125	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
Number	1051	130	2051	65	Surcharge - late filing fee or oath	
Deposit Account Name Monsanto Company	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
The Director is authorized to: (check all that apply)	1053	130	1053		Non-English specification	<b></b>
Charge fee(s) indicated below Credit any overpayments	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	<del> </del>
Charge any additional fee(s) or any underpayment of fee(s)	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
	1251	110	2251	55	Extension for reply within first month	
FEE CALCULATION	1252	420	2252	210	Extension for reply within second month	420.00
1. BASIC FILING FEE Large Entity Small Entity	1253	950	2253	475	Extension for reply within third month	
Fee Fee Fee Fee Description Fee Paid Code (\$) Code (\$)	1254	1,480	2254	740	Extension for reply within fourth month	
1001 770 2001 385 Utility filing fee	1255	2,010	2255	1,005	Extension for reply within fifth month	
1002 340 2002 170 Design filing fee	1401	330	2401	165	Notice of Appeal	
1003 530 2003 265 Plant filing fee	1402	330	2402	165	Filing a brief in support of an appeal	
1004 770 2004 385 Reissue filing fee	1403	290	2403	145	Request for oral hearing	
1005 160 2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
SUBTOTAL (1) (\$) -0-	1452	110	2452	55	Petition to revive - unavoidable	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1,330	2453	665	Petition to revive - unintentional	
Fee from		1,330	2501		Utility issue fee (or reissue)	
Extra Claims below Fee Paid  Total Claims 20** = X =	1502	480	2502		Design issue fee	
Independent 23 - 25 - 25 - 25 - 25 - 25 - 25 - 25 -	1503	640	2503		Plant issue fee	
Claims - 3 - 3 - 4	1460	130	1460		Petitions to the Commissioner	
Large Entity   Small Entity	1807	50	1807		Processing fee under 37 CFR 1.17(q)	
Fee Fee Fee Fee Description	1806	180	1806		Submission of Information Disclosure Stmt	$\vdash$
Code (\$)   Code (\$)  1202 18   2202 9 Claims in excess of 20	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1204 86 2204 43 ** Reissue independent claims over original patent	1801	770	2801	385	, , , , , , , , , , , , , , , , , , , ,	770.00
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	1802	900	1802	900	, ,	
· · · · · · · · · · · · · · · · · · ·	Other	fee (sp	ecify)			
I SURTOTAL (2) I(S) -∪- II				Filing F	ee Paid SUBTOTAL (3) (\$) 1,190	0.00
of number previously paid, it greater, For Reissues, see above						

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Registration No.

46,249